

Cost Ordinance concerning the Electrical and Electronic Equipment Act (Electrical and Electronic Equipment Act Cost Ordinance - *ElektroGKostV*)

On the basis of Section 22 (2) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment dated March 16, 2005 in conjunction with Part 2 of the Administrative Expense Act dated June 23, 1970 the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) orders:

§ 1 Section 1

Waste Management Objectives

(1) For official acts of the Competent Authority according to Section 16 (1) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment or the designated Clearing House pursuant to Section 17 (1) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment, fees will be levied. The events that are subject to fees and the amount of the fees result from the schedule of fees in the annex to this ordinance.

Cost Reduction and Cost Exemption

The Competent Authority, according to Section 16 (1) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment or the designated Clearing House pursuant to Section 17 (1) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment, may reduce the fee as per Nos. 1.01 to 1.06 of the schedule of fees or exempt from fees, if the application of the standard fee for the registration would be disproportionate regarding the amount of equipment placed on the market, the economic value of the registration for the company, the expected costs of waste management and the relevance for the waste management.

§ 3 Section 3

For the revocation or the withdrawal of an official act, the rejection of an application or in cases of withdrawal of an application, fees will be levied pursuant to Section 15 of the Administrative Expenses Act.

§ 4 Section 4

For registrations before November 24, 2005, the Competent Authority, according to Section 16 (1) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment or the designated Clearing House pursuant to Section 17 (1) of the Act Governing the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment, levies fees as per Nos. 1.01 to 1.06 of the schedule of fees in the annex to this ordinance.

§ 5 Section 5

Entry into Force

This ordinance shall enter into force one day after the ordinance is promulgated.

Bonn, July 6, 2005

The Federal Minister for Environment, Nature, Conservation and Nuclear Safety

Jürgen Trittin

No.	Events	Subject to Fees (Euro)
1	Registration	-
1.01	Basic Registration per producer, first brand and first type of equipment	€ 155,--
1.02	Completion of the basic registration according to No. 1.01 for every additional brand including one type of equipment and every additional type of equipment belonging to a brand	€ 85,--
1.03	Update of quantitative data of existing registrations according to Nos. 1.01 and 1.02 per change session	€ 100,--
1.04.a	Entire examination of an individual producer guarantee per producer, first brand trademark and first type of equipment	€ 455,--
1.04.b	Entire examination of a guarantee based on a clearing house-certified producer guarantee system per producer, first brand and first type of equipment	€ 545,--

1.04.c	Extension of a proven guarantee according to Nos. 1.04.a and 1.04.b to an other type of equipment per producer for every additional brand including one type of equipment and every additional type of equipment belonging to a brand	€ 90,--
1.04.d	Change or annual update of a proven guarantee according to Nos. 1.04.a, 1.04.b or 1.04.c concerning the quantity and evaluation under unchanged type of equipment per change or update respectively	€ 215,--
1.04.e	Change of other guarantee data per change carried out	€ 90,--
1.05	Other changes of registration data per change session	€ 50,--
1.06	Extraordinary expense in the case of non-electronic handing over of data per accepted and executed order	Depending on the expense at an hourly fee of € 160,--
2	Directive regarding provision	€ 45,--
3	Directive regarding collection	€ 55,--
4	Sanctions	
4.01	Directive regarding increase to guarantee	Depending on the expense at an hourly fee of € 160,--
4.02	Warning in the case of no provision	Depending the expense at an hourly fee of € 160,--
4.03	Warning in the case of no collection	Depending on the expense at an hourly fee of € 160,--
4.04	Revocation of the registration	Up to 75 per cent of the fee according to No. 1

Source: Haarmann Hemmelrath - EU, Competition and Regulatory Practice Group